

**SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

In the Matter of DALIA GINGER, trustee of the ORLY
GINGER 1993 TRUST,

Petitioner,

- against -

ORLY GINGER, ARIE GINGER, GLENCLOVA
INVESTMENT COMPANY, TR INVESTORS, LLC, NEW
TR EQUITY I, LLC, NEW TR EQUITY II, LLC, TRANS-
RESOURCES, INC., ARNOLD BROSER, DAVID
BROSER, JOHN DOES 1-20, and JANE DOES 1-20,

Respondents.

FILE NO. 2008-0017/E

Hon. Nora S. Anderson

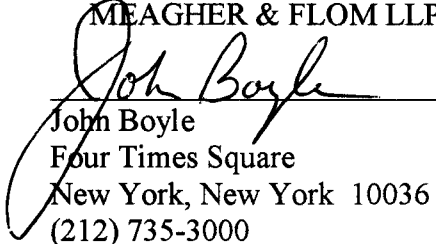
NOTICE OF MOTION

PLEASE TAKE NOTICE THAT upon the Memorandum of Law in Support of the TR Entities' Motion to Dismiss the Petition for Turnover of Trust Property and Other Relief, the Affirmation of John Boyle in Support dated February 5, 2018 and all exhibits attached thereto, the Affirmation of Mark S. Hirsch in Support dated February 5, 2018, and all prior pleadings and proceedings heretofore, respondents Glenclova Investment Company, TR Investors, LLC, New TR Equity I, LLC, New TR Equity II, LLC, and Trans-Resources LLC (collectively the "TR Entities") will move this court, sitting at 31 Chambers Street, New York, New York 10007, on February 27, 2018, at 10:00 a.m. or as soon thereafter as counsel can be heard, for an Order pursuant to CPLR 213, CPLR 214, CPLR 311, CPLR 311-a, CPLR 3016(b), CPLR 3211(a) (1), (3), (4), (5), (7) and (8), and SCPA 301 dismissing the Petition of Dalia Genger as Trustee as against the TR Entities.

PLEASE TAKE NOTICE that pursuant to CPLR 2214(b), answering papers, if any, and cross-motion, if any, must be served upon the undersigned at least seven (7) days before the return date of this motion.

Dated: February 6, 2018
New York, NY

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP


John Boyle
Four Times Square
New York, New York 10036
(212) 735-3000
john.boyle@skadden.com

*Attorneys for Respondents Glenclova
Investment Co., TR Investors, LLC, New TR
Equity I, LLC, New TR Equity II, LLC, and
Trans-Resources LLC*

To:

JUDITH LISA BACHMAN, ESQ.
254 S. Main Street, Suite 306
New City, New York 10956
(845) 639-3210

Attorney for Petitioner Dalia Genger

KELLEY DRYE & WARREN LLP
John Dellaportas
101 Park Avenue
New York, NY 10178
(212) 808-5000

Attorneys for Sagi Genger

KASOWITZ BENSON TORRES LLP
Michael Paul Bowen
1633 Broadway
New York, New York 10019
(212) 506-1700

Attorneys for Respondent Orly Genger

STEVEN RIKER, ESQ.
One Grand Central Place, 46th Floor
New York, NY 10165
(212) 661-6410

Guardian Ad Litem

- ***Memorandum of Law in Support of the TR Entities' Motion to Dismiss the Petition for Turnover of Trust Property and Other Relief Filed on June 14, 2016, by Dalia Genger as Trustee of the Orly Genger 1993 Trust***

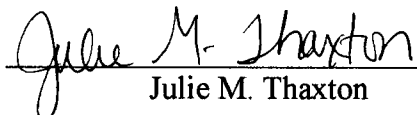
by Federal Express, overnight delivery upon:

Judith Lisa Bachman, Esq.
254 S. Main Street, Suite 306
New City, New York 10956

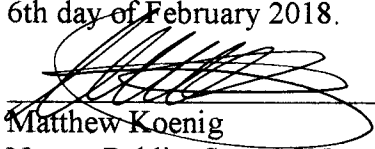
Kelley Drye & Warren LLP
John Dellaportas
101 Park Avenue
New York, NY 10178

Kasowitz Benson Torres LLP
Michael Paul Bowen
1633 Broadway
New York, NY 10019

Steven Riker, Esq.
One Grand Central Place, 46th Floor
New York, NY 10165


Julie M. Thaxton

Sworn to before me this
6th day of February 2018.


Matthew Koenig
Notary Public, State of New York
Reg. No. 01KO6211943
Qualified in New York County
Commission Expires Sept. 23, 2021

File No. 2008-0017/E

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of DALIA GENGGER, trustee of the ORLY GENGGER 1993
TRUST,

Petitioner,

-against-

ORLY GENGGER, ARIE GENGGER, GLENCLOVA INVESTMENT
COMPANY, TR INVESTORS, LLC, NEW TR EQUITY I, LLC, NEW TR
EQUITY II, LLC, TRANS-RESOURCES, INC., ARNOLD BROSER, DAVID
BROSER, JOHN DOES 1-20, and JANE DOES 1-20,

Respondents.

NOTICE OF MOTION

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

ATTORNEYS FOR GLENCLOVA INVESTMENT CO., TR INVESTORS, LLC,
NEW TR EQUITY I, LLC, NEW TR EQUITY II, LLC, and TRANS-RESOURCES LLC.

FOUR TIMES SQUARE
NEW YORK, NEW YORK 10036
(212) 735-3000

**In The Matter of DALIA GENDER, Trustee of
the ORLY GENDER 1993 TRUST,**

File No. 2008-0017/E

Hon. Nora S. Anderson

Petitioner, :

- against - :

ORLY GINGER, ARIE GINGER,
GLENCLOVA INVESTMENT COMPANY,
TR INVESTORS, LLC, NEW TR EQUITY I,
LLC, NEW TR EQUITY II, LLC, TRANS-
RESOURCES, INC., ARNOLD BROSER,
DAVID BROSER, JOHN DOES 1-20, and
JANE DOES 1-20,

Respondents. :

[illegible]

Julie M. Thaxton, being duly sworn, deposes and says:

1. That deponent is over eighteen years of age, not a party to the action and is employed by Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036.

2. That on the 6th day of February 2018, deponent served a true copy of
the

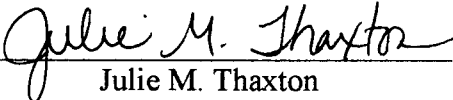
- *Notice of Motion,*
- *Affirmation of John Boyle in Support of the TR Entities' Motion to Dismiss the Petition For Turnover of Trust Property and Other Relief with the annexed Exhibits A-L,*
- *Affirmation of Mark S. Hirsch in Support of Motion to Dismiss and*

- *Memorandum of Law in Support of the TR Entities' Motion to Dismiss the Petition for Turnover of Trust Property and Other Relief Filed on June 14, 2016, by Dalia Genger as Trustee of the Orly Genger 1993 Trust*


by Federal Express, overnight delivery upon:

Arnold Broser
5371 Fisher Island Drive
Miami Beach, FL 33109

Arie Genger
17001 Collins Avenue
Sunny Isles Beach, FL 33160


Julie M. Thaxton

Sworn to before me this
6th day of February 2018.


Matthew Koenig
Notary Public, State of New York
Reg. No. 01KO6211943
Qualified in New York County
Commission Expires Sept. 23, 2021